

LAW OFFICES OF THOMAS MORE HOLLAND

BY: THOMAS MORE HOLLAND

IDENTIFICATION NO.: 43517

1522 LOCUST STREET

GRACE HALL

PHILADELPHIA, PA 19102

*IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA*

JOSEPH MARINO

Plaintiff,

v.

KENT LINE INTERNATIONAL

d/b/a VOYAGEUR SHIPPING LTD., et al.

Defendants.

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CIVIL ACTION No.: 02-CV-4488

ORDER

And now this day of , 2003 based upon the Motion of Plaintiff for the imposition of a default judgment against Joseph Levy and Maureen Levy and any reply thereto the Motion is *GRANTED*. This matter shall proceed to trial against Defendants Joseph Levy and Maureen Levy with respect to damages only. As a matter of law Defendants Joseph Levy and Maureen Levy are liable to Plaintiff.

J.

LAW OFFICES OF THOMAS MORE HOLLAND

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JOSEPH MARINO

Plaintiff,

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CIVIL ACTION No.: 02-CV-4488

*MOTION FOR ENTRY OF A DEFAULT JUDGEMENT AGAINST
DEFENDANTS JOSEPH LEVY AND MAUREEN LEVY*

Joseph Marino by and through his counsel the Law Offices of Thomas More Holland, hereby moves to impose a default judgment against Defendants Joseph Levy and Maureen Levy. In support thereof it is averred:

1. The above captioned action was filed in 1992. On or about May of 2003 the subsequent cause of action No.: 03-CV-3058. That subsequent action named Defendants Joseph Levy and Maureen Levy.
2. Sua sponte the Court consolidated the 2002 action with the 2003 action under the 2002 docket number.
3. Defendant Joseph Levy was served at the address referenced in the caption of the 2003 action: Gloucester City Pier, Gloucester, New Jersey 08030.
4. Appended hereto and made apart hereof is a copy of the Summons that was filed timely with the clerk, Exhibit "A".
5. Defendant Maureen Levy was served at the address referenced in the caption of the 2003 action: Gloucester City Pier, Gloucester, New Jersey 08030.
6. Appended hereto and made apart hereof is a copy of the Summons that was filed timely with the clerk, Exhibit "B".

7. Defendant Joseph Levy has failed to enter an appearance in this action.
8. Defendant Maureen Levy has failed to enter an appearance in this action.
9. It is believed and averred that Defendants Joseph Levy and Maureen Levy are adults, competent, are not infirm and are not now or any time since this action has been filed serving in the United States Military.
10. Defendants Joseph Levy and Maureen Levy have failed to plead or otherwise defend.
11. Plaintiff would be unduly prejudiced if the default judgment is not entered.

WHEREFORE, it is respectfully requested that default judgments be entered against Defendants Joseph Levy and Maureen Levy.

Respectfully Submitted,

Date: August 22, 2003

THOMAS MORE HOLLAND
Attorney for Plaintiff

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*IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA*

JOSEPH MARINO	§	
Plaintiff,	§	
v.	§	
	§	
KENT LINE INTERNATIONAL	§	
d/b/a VOYAGEUR SHIPPING LTD., et al.	§	CIVIL ACTION No.: 02-CV-4488
Defendants.	§	
	§	
	§	

*BRIEF IN SUPPORT OF THE ENTRY OF A DEFAULT JUDGEMENT AGAINST
DEFENDANTS JOSEPH AND MAUREEN LEVY*

Respondents Joseph Levy and Maureen Levy have failed to appear in this action. These Defendants have failed to plead or otherwise defend as provided in the rules. As a consequence the default judgment can be entered in the Court's discretion at this time.

Alternatively the Court may conduct hearings to determine what is necessary and proper in adjudicating whether the Plaintiff is entitled to the relief of the entry of a default against these Defendants.

Respectfully submitted,

Date: August 22, 2003

THOMAS MORE HOLLAND
Attorney for Plaintiff

PROOF OF SERVICE

I, Thomas More Holland, Esquire, hereby certify that a true and correct copy of the foregoing *ENTRY OF A DEFAULT JUDGEMENT AGAINST DEFENDANTS JOSEPH AND MAUREEN LEVY* to the court and counsel of record electronically:

Ann-Michele G. Higgins, Esquire

Rawle & Henderson LLP

The Widener Building
One South Penn Square
Philadelphia, PA 19107

A. Robert Degen, Esquire

Fox Rothschild O'Brien & Frankel

2000 Market Street - 10th floor
Philadelphia, PA 19103

Faustino Mattioni, Esquire

Mattioni, Ltd.

399 Market Street
2d Floor
Philadelphia, PA 19106

and to the pro se Defendants by regular mail:

Mr. Joseph & Maureen Levy
Trans Ocean Maritime Services Inc.
P.O. Box 560
Gloucester City, NJ 08030-0560

Date: August 22, 2003

THOMAS MORE HOLLAND
Attorney for Plaintiff